

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 13 (WATER CONSERVATION ORDINANCE) OF THE CITY OF EL PASO MUNICIPAL CODE TO REQUIRE COMMERCIAL CAR WASHES ISSUED BUILDING PERMITS FOR CONSTRUCTION AFTER JUNE 1, 2002, TO USE NO MORE THAN FIFTY (50) GALLONS OF WATER PER VEHICLE WASHED; TO PROVIDE THAT FOR NEW RESIDENTIAL SITES AFTER JUNE 1, 2002, NO TURF GRASS SHALL BE USED FOR MORE THAN FIFTY PERCENT (50%) OF THE TOTAL SITE; TO PROVIDE THAT FOR NEW COMMERCIAL SITES AFTER JUNE 1, 2002, NO TURF GRASS SHALL BE USED FOR MORE THAN THIRTY-THREE AND ONE-THIRD PERCENT (33 1/3%) OF THE TOTAL SITE; AND AMENDING SECTION 15.13.120 TO DELETE THE REQUIREMENT THAT THE MAYOR OBTAIN THE RECOMMENDATION OF THE PUBLIC SERVICE BOARD PRIOR TO DECLARING A WATER EMERGENCY.

WHEREAS, the El Paso City Council has requested additional consideration to changes to the El Paso Water Conservation Ordinance; and,

WHEREAS, the El Paso Water Utilities Public Service Board (PSB) reviewed the recommended changes suggested by City Council and received additional input from the Public Working Committee November, 2001 regarding changes to the Water Conservation Ordinance; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Title 15 (Public Services), Chapter 13 (Water Conservation Ordinance) and Section 15.13.120 (Water Emergency) are hereby amended to read as follows:

1. Section 15.13.030 Nonessential Water Use Restrictions is amended by adding 15.13.030 A3 which reads:
"A.3. Prior to connection of water service to any commercial car wash issued building permits for construction after June 1, 2002, a certification shall be provided to the El Paso Water Utilities that the car wash uses no more than fifty (50) gallons of water per vehicle washed. Absent such certification, no water service will be provided."
2. Section 15.13.130 Turf Grass Prohibited is amended entirely to read as follow:
"15.13.130 Turf Grass Prohibited.
A. Turf grass is prohibited in all parkways, narrow strips of land and sloped areas within new residential or commercial sites for which a building permit is issued after June 1, 2002, unless irrigated with sub-surface irrigation. For purposes of this section, "sloped areas" means an area with a slope ratio of 1:3 or greater from the horizontal. "Sub-surface irrigation" means a low pressure irrigation system installed below the surface of the ground or mulch, consisting of a water distribution system equipped with pre-installed water emitters that are rated by gallons per hour, and that is suitable for turf grass irrigation.

B. Turf grass for residential sites after June 1, 2002, shall not be used for more than fifty (50%) percent of the total area to be landscaped (front and back yard).

C. Turf grass for commercial sites after June 1, 2002 shall not be used for more than thirty-three and one-third (33 1/3%) of the total area to be landscaped (front and back yard).

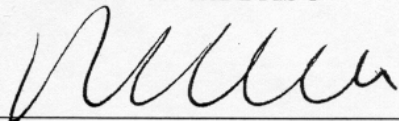
3. Section 15.13.120 Water Emergency–Restriction of Water Use is hereby amended as follows:

The mayor may declare a water emergency in case of a severe drought, in the event of any condition which interrupts the ability of the public service board to supply water, where curtailment of the use of water is necessary due to war, a natural disaster, to protect the public health, safety or welfare, or to preserve the water supply. In the event such water emergency is to continue for more than five (5) days, such measures must be passed by resolution by majority of City Council in order for the declaration of emergency to continue beyond the initial five (5) day period. During such a water emergency, the general manager may impose any additional restrictions on the use of water from the city's water supply system in all or in any part of the city as the city council may authorize.

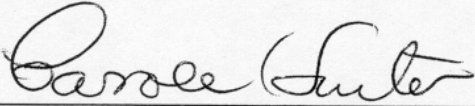
All other provisions of Chapter 15.13 Water Conservation remain in full force and effect.

PASSED AND APPROVED this 28th day of May, 2002.

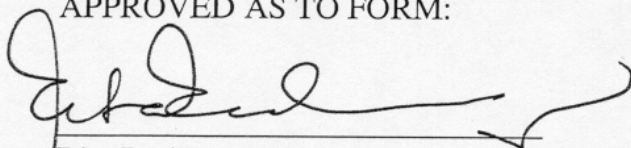
THE CITY OF EL PASO

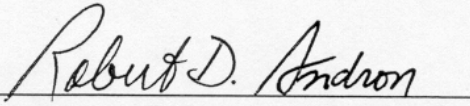

Raymond C. Caballero, Mayor

ATTEST:


Carole Hunter, City Clerk

APPROVED AS TO FORM:


Rita Rodriguez
City Attorney


Robert D. Andron
PSB General Counsel